

FAQs About IDEA 2004

Specific Learning Disability (SLD)

How have the criteria for specific learning disability changed?

The IDEA 2004 no longer allows a state to require only the use of a severe discrepancy formula for the identification of specific learning disabilities. Rather, the law now allows a school district to also use a Response to Intervention (RtI) approach as part of the evaluation procedure for determining that a student has a specific learning disability. A criteria checklist is available for Child Study Teams to document using the RtI approach in making that determination.

Can a school district choose to still use a severe discrepancy model to identify a child with a specific learning disability?

Yes. The criteria for establishing the existence of a severe discrepancy have not changed. A district may choose to continue to use a severe discrepancy model for identifying a specific learning disability.

Are there other allowed methods of identifying a specific learning disability besides the discrepancy or response to intervention models?

No. The IDEA 2004 only allows the use of a severe discrepancy model or a Response to Intervention approach in the identification of a specific learning disability.

How does the Child Study Team determine the existence of a specific learning disability when using the RtI model?

The Child Study Team must determine that the student demonstrates a significantly low rate of achievement relative to the student's age and ability levels in at least one of the following areas: oral expression, listening comprehension, written expression, basic reading skill, reading comprehension, mathematics calculation, or mathematics reasoning. The team must also document that despite the implementation of data-based, research-supported interventions the student's academic achievement continues to progress at a rate that is below the learning rate of students of a similar age and/or grade level, **or** that the data-based, research-supported interventions necessary for the student to progress at a rate comparable to students of a similar age and/or grade level are equivalent to the services provided to students receiving special education services.

Further information regarding the RtI process can be found in the FAQ sheet "Response to Intervention (RtI)."

The reauthorized Individuals with Disabilities Education Act (IDEA) became effective on July 1, 2005. This list of Frequently Asked Questions (FAQ) sheet is one of a series from the Montana Office of Public Instruction which highlight changes resulting from the reauthorization of the IDEA. Additional changes may result from the final regulations.

If you have further questions, please contact your local special education director or the Montana Office of Public Instruction. A complete listing of current OPI IDEA FAQs can be found at www.opi.mt.gov/speced/FAQs.



Linda McCulloch, Superintendent
Office of Public Instruction
PO Box 202501
Helena, MT 59620-2501
www.opi.mt.gov/speced